G. R. S. 59]

GPB 1,000 20 12 13

GENERAL AND REVENUE SECRETARIAT.

1896-95
~~191~~.

(Nursai)

File No. 41

Serial Nos.

Papers Filed.

*Month*_____

SUBJECT.

Passing orders on the unauthorized alienation of the Inam lands endowed to the Sri Mallikeswaraswami temple at Hoskote

PREVIOUS REFERENCES	LATER REFERENCES.

Memo

41-94

An inam in the Hoskote Taluk assigned to the temple of Dyamakteswara was mortgaged by the pujari in the year 1824. The present pujari now asks that the inam be restored to the temple as such alienation was illegal. The inam has been confirmed by Inam Deptt to the trust of the Temple but it is in the enjoyment of the mortgagee's son. Under the terms of the late Govt's Notification of 1894, such inam can be thereby alienated within prior to 50 years, ~~before~~ 16th Dec 1844 (Clause II A) should be confirmed to the alienee & subjected to a fixed of the assessment, such fixed being payable to the trust concerned. It was only in this manner that the sanction of Govt was given in this Office letter of 2nd May 1894 —

Filed:

No. D. 219

Bangalore District
Dy. Commissioner's Office
28th May 1884

To
The Secretary to the
Dewan of Mysore

Sir

I have the honor to submit herewith for orders, the Vernacular Correspondence regarding the mutation for alienation, 60 years ago, of the Inam attached to Lyncondanahalli in the Kunchalli village of the Hoskote Tal. It appears that the alienee failed to bring to the notice of the Inam Department at the time of its settlement, the fact of the alienation of the Inam to his ancestor. If approved of, the case will be dealt with under Rule 9 of para II of the late Chief Commissioner's Notification of the 1st November 1877.

I have the honor to be
Sir
Your most obedient servant

A. Muthuswamy
Dy. Commissioner

F. 104

(General Serial No. 20.)

28 MAR 84
DEWAN'S OFFICE

1884

From The Deputy Commissioner
Bangalore District

To

The Secretary to the ~~Chief Commissioner~~
of Mysore. Department.

Dated 28-3-84

Despatched

Received

Enclosures No. One file of
Various papers.

General No. 919 } 1884-85.
No.

Requesting orders in connection with the
Inam property alienated
Inam Land attached
to Lyngoo Kteshwar
Temple, Hoskote Taluq

28-3-84

CR

Reference
CR 19-5-85

Submd
CR

1
P. 19

F
F. 104

7/4/89

dear [illegible]

I send the enclosed.

ed among some papers

- to be filed in the

. Are they to your

now or not? I doubt-

because of the interval

that has elapsed.

Yours very [illegible]

[illegible]

(General Serial No. 31.)

R 188.

From

Read,-

To Letter No 219 of 28th Decr 84 from the Dept Govt Accountant Bombay requesting orders in connection with the unauthorized removal of sandal wood attached to Sri Mookteswara Temple

Dated

Despatched Via Hoskote Taluk

Received

Enclosures No.

General No. 277-8 dtd 14th May 87

No. 15

Order:

The land is a clear Devadayam Grant and the mortgagee in possession who is not an archak & who does not perform the pooja or any service cannot be recognized: the land will be duly assessed and brought on the Register of Govt Lands. Mr Rule quoted by the Secretary Hardeman cancelled in the proceedings of this Office dated 15th January 82 No 704-1. 23/4

Chief Secretary

Examr Sett

9/5

Note

I doubt whether that Rule A was cancelled.

Rules B & C. contemplated summary resumption & restoration. ~~The Rules have Cancelled & in the Words of Mr Hardeman directed~~. It has been declared that these orders should not be indiscriminately enforced in favor of alienees.

by

22/7

A and must be dealt with under Rule II Clause A of Rules published with Notn dtd 17 Nov 1877.

by

22/7

~~Mr Secretary~~

~~Chief Secretary~~

~~Office~~

11/5

Land Revenue

To the Secretary to Govt

Revenue Secretary

Revenue Secretary

Proceedings of the Dewan of Mysore.

Read:-

Letter No 219 dated 28th May 1864 from the Deputy Commissioner - Bangalore District requesting orders in connection with the unauthorizedly alienated Inam lands attached to Dyavoda Eswara temple in Hoskoti Taluk.

(Order thereon No Camp Mysore dated 11th September 1864

The land is a clear Devadayam grant and must be dealt with under Rule II Clause A of Rules published with Notification dated 17th November 1857.

Secretary

To

The Deputy Commissioner - Bangalore District.

" The Inam Superintendent.

1st French copy made - 4 Printed 1/4 - 4 - 8 pp

Proceedings of the Dewan of Mysore.

Read.—

Letter No: 219 dated 28th May 1884 from the Deputy Commissioner Bangalore District, requesting orders in connection with the unauthorizedly alienated Inam lands attached to Gyanodayeswara temple in Hoskoté Taluk.

Order thereon, No Camp Mysore dated 11th September 1884

The land is a clear Devadayam grant and must be dealt with under Rule III C clause A of Rules published with Notification dated 17th November 1877.

Secretary

To

The Deputy Commissioner Bangalore District

" The Inam Superintendent.

Attested copy made & given vide 12 - 4 - 87

OFFICE OF THE DEWAN OF MYSORE
93
MUZRAI BRANCH

Gen. Serial No. 31.]

1894-95

From The Dy. Commissioner
Bangalore District.

To The Secretary to the Dewan
of Mysore.
Muzrai Department

Dated 7th August 1894

Despatched

Received 20 8 94

Enclosures No. 1 & 1 file -

General No.
No. 213.-

Referring to Government Proceedings No. 277-8/15 dated 14th April 1887, Regarding the unauthorized alienation of the Inam lands attached to the Dymookte Swara Temple in the Hoskote Taluk, I have the honor to submit for the reconsideration and orders of Government a detailed memo prepared on the representation

To the same No. 1127 dated 11-6-95

of the Archik, praying
for the restoration of
the land to the Temple,
as per subsequent agree-
-ment of 1868, entered
into between the then
Archiks and the Aliena-
2. The whole corres-
-pondence together with
the agreement is, here-
-with, forwarded.

Yr Dy Commissioner

Memorandum.

× Wo 4290/20 &
Oct. 1887.

⁂ Wo 706/16 &
April 1894.

The Auildar was ×directed to carry out the orders contained in Government Proceedings quoted above. He reports ⁂that the Archaik has represented that the agreement entered into on 27th November 1868 between the then Archaiks and the mortgagee supersedes the mortgage deed executed in 1825 and that as this does not seem to have been brought to the notice of Government when the above orders were

passed, it may now
be addressed to re-
consider the same
and to have the lands
restored to the Temple.
The agreement referred to which
was produced by the
Archaks with his Argee
dated 4th June 1887 after
the orders of Government
were passed, purports
to say that as settled
by the Panchayetdars
the Archaks were bound
to pay Rs. 25/- to the
mortgagee and for this
he should enjoy the
produce of the lands
jointly with them
for nine years.
The execution of the
document, though
now denied by the
Mortgagee, is affirm
ed by Ebenezer Sastri

a witness. Appajiah, son of Muneappah, who wrote the Bond admits of his Father's attestation therein. Chennappa, son-in-law of Basa Lingannah another witness, states that the attestation in the Bond is his Father-in-law's and that he died about 18 years ago.

2. The Mortgagee alleges that as the matter has already been disposed of by Government, he is bound only to pay the assessment on the Inam lands.

3. Government-Notification of the 17th November 1877 will be found in the Revenue Manual.

"Copy"
H. Cunningham
for Dr. Commissioner

[Sd/] B. Coopoosawmy Chetty
Munsiff assistant
13/5/94. Bangalore District.

1894-5

Muzarai

Read Government Proceedings Nº 277-8/15 dated 14th April 1857 And Docket Nº 213 dated 17th August 1894 from the Deputy Commissioner Bijapur District.

Order thereon.

R Nº 11278/11/12 - 6-95 Mr. Akerman Revenue Archaic of Ahmedabad temple in Borsad in a petition to the Taluk Amlatdar dated 9th December 1893 stated that certain Devadayam Lands noted in the margin and attached to the temple were seized

Village Ramanahalli

Survey Description plant Nº. cut — 43 — Qty — 77

Retard: A. G. 3-36 — 16

Assessment 7-0-2 — 2-8-0

Remarks Adjudicable on Re Lands Award 1/12

un authorizedly employed
by one Davandalli
Ramiah a Resident of
of Bosketa and prayed
that the Lands in Question
may be restored to the
temple - On the enquiry
that followed the said
Ramiah stated that the
Lands had been in his
possession and enjoy-
-ment for several years
past, the same having
been mortgaged to his
father so far back as
1821, by the then Archak
of the temple and that
he would not therefore
give up the Lands, the
Mortgagor's right
having also been
barred by limitation -
The Document to whom
the Deputy Commissioner
submitted the case for
orders, observed in

their

their Proceedings No. 277-8/15
dated 14th April 1887
read above that the
lands in question must
clearly Devadaya
grants and must
therefore be dealt with
under Rule II Clause A
of the Rules published
with the late Chief
Commissioner's Notifi=
=cation dated 17th Novem=.
=ber 1877.

2. Thereupon, the
Archak Lakshman
=Row applied to the
Taluq Amildar for
a Reconsideration of
his case on the ground
that the Mortgage deed
of 1824 was superseded
by another document
dated 24th November
1868 executed by
Ramiah under the
terms of which the
latter was to continue

or

in the enjoyment of
the lands for a period
of 9 years only, and
this period of 9 years
had long ago elapsed
and he is therefore entitled
to the absolute restoration
of the lands. The Deputy
Commissioner Major Macintire
a ~~Uncovenanted~~, to whom
this second petition
of the Archak was
submitted for orders
disallowed the Archak's
petition and in his
order dated 29th June
1887 directed the en-
forcement of the orders
of Government Conveyed
in Proceedings Nr. 27-8/15
dated 14th April 1887.
But from the records
it is not clear why
this order was not
duly carried out.

3. Again in June 1893
the Brahmin Lakshman=
=Rao came forward
with a similar petition
praying for the restora
=tion of the lands to the
temple as the debt
due on the mortgage
deed had under the
terms of the document
of 1868 been extinguished
by the enjoyment of
the produce of the
lands by the Mortgagee
Ramiah. This petition,
with the records of
the additional enquiry
instituted thereon,
has now been sub=
=mitted for the orders
of Government.
4 With reference to the
above, the Government
observe that the
question [illegible]

been finally settled
by the order of Govern-
-ment dated 14th April
1887 the Archak Lurah-
-mun Row ought not
to have been allowed
to re-open the same
after a lapse of 6
years - The document
of 1868 which is now
put forward by the
Archak appears to
be an extremely un-
suspicious one - Its
genuineness is dis-
-puted by the Mortgagee
Ramiah who denies
all knowledge of
it - Further no mention
whatever of the execution
of this document was
made by the Archak
Venkatramanna Row
in

in his previous petitions dated 21st & 26th September 1883 and 29th October 1886 and it was not-till after the Government Order of April 1887 above referred to was Communicated to him that he made any reference to the existence of such a document - Under the foregoing circumstances the Government decline to reconsider the orders already passed in Proceedings No. 277-8-15 dated 14th April 1887 - As directed therein, the lands in question must be

be finally dealt
with under ~~Rules~~ Rule II Clause A
~~Rule Clause A~~
~~II A~~ of the Rules pub:
:lished ~~in~~ with the late
Chief Commissioner's
Notification dated
the 17th November
1877 —

Secretary

~~Sir~~

To The Deputy Commissioner
Bangalore District
Attorney Vernacular Records

(General Serial No. 29.)

OFFICE OF THE
21 MAY 85
DEWAN OF MYSORE.

1885.

From The Deputy Commissioner
Bangalore District.

To

The Secretary to the Dewan
of Mysore

Dated 18th May 85

Despatched

Received

Enclosures No.

General No. } 1885—86.
No. 172

This office No. 219
dated 28th May 1884,
regarding the alienation
of the Inam lands
attached to the
Avenookteswar Temple
in the Hoskote Taluq.

Has the honor to request
the favor of an early reply
to the above.

Deputy Commissioner.